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10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA
13
14 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,) CASE NO.: CR 19-0280 RS

15 Plaintiff,)

16 v.)

**WRITTEN PROFFER IN SUPPORT OF
GOVERNMENT'S MOTION FOR DETENTION
AS TO ALL DEFENDANTS**

- 17 (1) ROGELIO BELLOSO ALEMAN,)
a/k/a "Smiley,")
18 (2) EDWIN ALVARADO AMAYA,)
a/k/a "Muerte,")
19 (3) FERNANDO ROMERO BONILLA,)
a/k/a "Black,")
20 (4) KENNETH CAMPOS,)
a/k/a "Nesio,")
21 (5) EVERT GALDAMEZ CISNEROS,)
a/k/a "Talentoso,")
22 (6) LUIS VELIS DIAZ,)
a/k/a "Popa,")
23 (7) RONALDY DOMINGUEZ,)
a/k/a "Smokey,")
24 (8) OSCAR ESPINAL,)
a/k/a "Chuy,")
25 (9) WILFREDO IRAHETA LANDAVERDE,)
a/k/a "Wally,")
26 (10) KEVIN REYES MELENDEZ,)
a/k/a "Neutron,")
27 (11) MISSAEL MENDOZA,)
28 (12) CHRISTIAN QUINTANILLA,)

DETENTION PROFFER
CR 19-0280 RS

1 (13) ELMER RODRIGUEZ,)
a/k/a "Gordo,")
2 (14) MARVIN OSEGUEDA SARAIVA,)
a/k/a "Chiquis,")
3 (15) KEVIN RAMIREZ VALENCIA,)
a/k/a "Delincuente,")
4 (16) ALEXIS CRUZ ZEPEDA,)
a/k/a "Zorro," and)
5 (17) KEVIN GUATEMALA ZEPEDA,)
a/k/a "Mision,")
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7 Defendants.)
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1 **I. INTRODUCTION**

2 On February 18, 2020, a grand jury returned a fourteen-count Superseding Indictment charging
3 the above-named seventeen defendants with various crimes, including Racketeering Conspiracy, in
4 violation of 18 U.S.C. § 1962(d), Assault with a Dangerous Weapon in Aid of Racketeering, in violation
5 of 18 U.S.C. § 1959(a)(3), Attempted Murder in Aid of Racketeering, in violation 18 U.S.C.
6 § 1959(a)(5), and Discharge of a Firearm in Furtherance of a Crime of Violence, in violation of 18
7 U.S.C. § 924(c). All of the charged crimes relate to the defendants' alleged participation in the MS-13
8 20th Street criminal racketeering enterprise. The Superseding Indictment has now been unsealed and is
9 incorporated by reference here.

10 Upon their initial appearance, the government will move for pretrial detention of each named
11 defendant. This submission memorializes the government's proffer of facts underlying the charged
12 offenses, which are probative of the nature and circumstances of the offenses, the weight of the evidence
13 against each defendant, the history and characteristics of each defendant, and the danger that each
14 defendant poses to the community. *See* 18 U.S.C. § 3142(g)(1)-(4).

15 This memorandum is set out in three parts. First, the government provides background
16 information about the MS-13 racketeering enterprise, including the MS-13 20th Street clique based in
17 San Francisco. Second, the government marshals its evidence, defendant-by-defendant, that each person
18 charged was and is a participating member of the racketeering enterprise. Third, the government
19 summarizes the ten violent incidents charged as substantive crimes in the Superseding Indictment.

20 **II. BACKGROUND OF MS-13 20TH STREET**

21 *La Mara Salvatrucha*, also known as MS-13, is a Transnational Criminal Organization that was
22 formed in Los Angeles, California, during the 1980s. MS-13 members principally are of El Salvadoran
23 background, although many members have roots in other countries, such as Honduras and Guatemala.
24 MS-13 has local gangs, or "cliques," located throughout the world. The racketeering enterprise targeted
25 in this indictment is the 20th Street clique, a collection of MS-13 members in the Bay Area who have
26 perpetrated a series of murders, attempted murders and violent assaults over the last several years,
27 primarily in San Francisco. The defendants in this case are members of MS-13 20th Street.

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1 Previous federal and local investigations have revealed that MS-13 members sometimes travel to
2 and from El Salvador, among other Central American countries; that MS-13 members in the United
3 States communicate via cell phone with “big homies” in El Salvador; that MS-13 members use and carry
4 firearms; and that members of MS-13 often traffic in controlled substances that originated outside the
5 United States. MS-13 constitutes an ongoing organization whose members function as a continuing unit
6 for a common purpose of achieving the objectives of the enterprise, including enriching the members of
7 MS-13 and preserving the power of the gang through fear, violence, and intimidation. MS-13 has been
8 named as the enterprise in various racketeering and racketeering-related cases throughout the United
9 States.

10 Members and associates of MS-13 violently clash with members of rival gangs over control of
11 drug territory and extortion victims, as well as over gang pride. Indeed, members of MS-13 are
12 expected to attack, or aid in the attack, on members or suspected members of rival gangs if the
13 opportunity arises. In San Francisco, the principal rival to the 20th Street clique is the Norteños gang.
14 MS-13 members are also expected to retaliate against attacks by, or even mere insults from, rival gang
15 members. Failure to do so would be considered cowardice and would result in loss of standing within
16 the gang or even punishment by the gang. Conversely, greater respect is given to members who engage
17 in more frequent and more audacious acts of violence against rivals (real or perceived), as well as to
18 those who assist their fellow gang members in attacks. Prospective members often must commit crimes
19 with other gang members on behalf of the gang in order to prove their loyalty to the gang.

20 **III. CHARGED DEFENDANTS**

21 Below, the government summarizes its racketeering evidence as to each charged defendant. The
22 summaries are presented in alphabetical order. These are not intended to be exhaustive summaries of all
23 evidence in the government’s possession.

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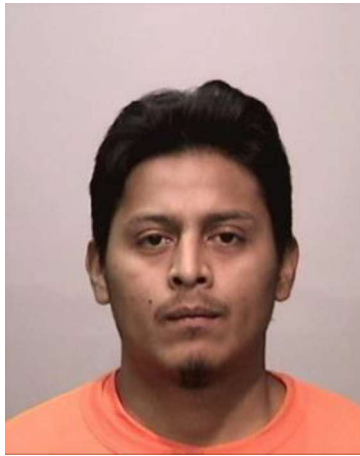
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1 **A. ROGELIO BELLOSO ALEMAN**



10 **Rogelio Belloso Aleman (“Smiley”)**

11 Racketeering Conspiracy (Count One);
12 Assault with a Dangerous Weapon in Aid of
 Racketeering (Count Nine)

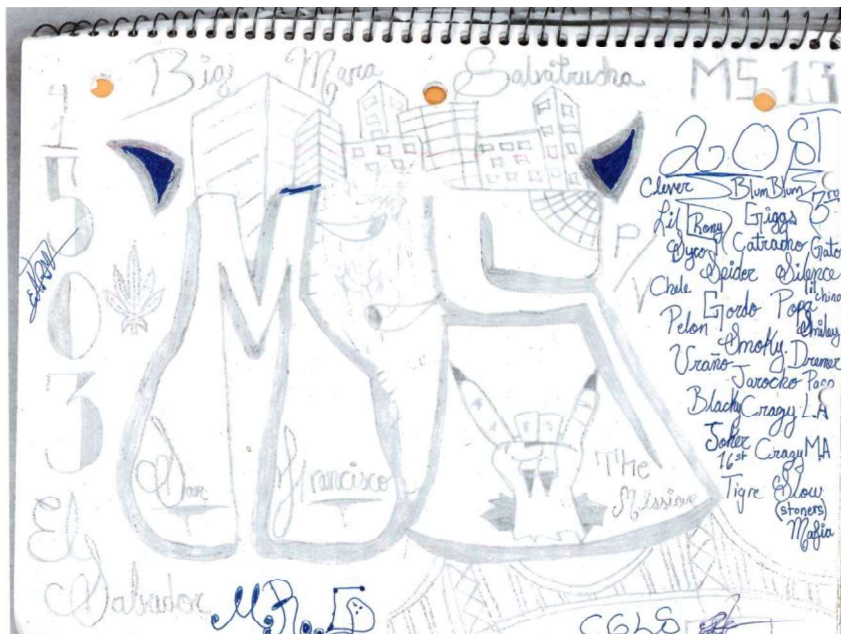
13 In December 2013, officers recovered a loaded firearm in a vehicle Belloso Aleman was driving.
14 No conviction resulted. At least four separate times in 2015, Belloso Aleman was encountered by law
15 enforcement in MS-13 territory in the company of MS-13 20th Street clique members, including
16 codefendants Kevin Ramirez Valencia and Luis Velis Diaz. Again, in December 2016, and at least five
17 more times in 2017, Belloso Aleman was encountered by law enforcement in MS-13 territory with 20th
18 Street clique members.

19 On March 17, 2017, Belloso Aleman was present at the Beauty Bar with fellow MS-13 20th
20 Street clique members on the night that Jose Mejia Carillo, MS-13 20th Street clique member, shot and
21 killed a former Norteño. During an April 2017 law enforcement contact, Belloso Aleman was found
22 with codefendants Kevin Reyes Melendez, Kevin Ramirez Valencia, Kevin Guatemala Zepeda, and
23 Elmer Rodriguez in MS-13 gang territory, standing near a bench that had been vandalized with MS-13
24 graffiti. On November 11, 2017, Belloso Aleman was one of the passengers in a car, along with MS-13
25 20th Street clique members and codefendants Elmer Rodriguez, Oscar Espinal, and Kevin Ramirez
26 Valencia, when officers found a firearm near the right front seat (where Rodriguez had been seated
27 before trying to walk away from the car). No charges resulted.

28 //

1 In February 2018, Belloso Aleman was again encountered in MS-13 gang territory with multiple
2 MS-13 20th Street clique members. On May 27, 2018, Belloso Aleman perpetrated the assault and
3 stabbing of a suspected Norteño in MS-13 territory with fellow 20th Street clique members Kenneth
4 Campos and Kevin Reyes Melendez. Belloso Aleman, Campos, and Reyes Melendez pled guilty in
5 state court to felony battery, and each received sentences of 360 days in jail. The details of this assault
6 are set forth in greater detail later in this memorandum. This assault is charged in Count Nine of the
7 Superseding Indictment.

8 On August 27, 2019, after Belloso Aleman had completed his custodial sentence for the May
9 2018 stabbing, officers conducted a probation search at his residence. In addition to finding a firearm,
10 they found multiple notebooks – some apparently dating back a number of years – containing MS-13
11 notes and drawings. One notebook had “La Mara Salvatrucha 13” written on the front, and “20th
12 Street” written on the back. The pages of the notebook bore written references to the monikers of
13 known MS-13 20th Street clique members (including Smokey, Popa, Smiley, Black, Spider, and both
14 Gordo and “Mr. G”). Two notebook pages are depicted below:



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The bottom photograph was also posted on Elmer Rodriguez's social media account on August 9, 2014.

In addition, through warrants executed on the social media accounts of Elmer Rodriguez and others, law enforcement has obtained photographs depicting Beloso Aleman with other MS-13 20th Street clique members and depicting Beloso Aleman throwing gang signs. The below image, posted on May 3, 2015, shows codefendant Elmer Rodriguez on the top, making in "M" with his hands, and Beloso Aleman below him, making an "S" with his hands.



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B. EDWIN ALVARADO AMAYA



Edwin Alvarado Amaya (“Muerte”)

Racketeering Conspiracy (Count One);
Attempted Murder in Aid of Racketeering
(Count Eight)

In October 2016, officers encountered Alvarado Amaya and codefendant and fellow MS-13 20th Street clique member Wilfredo Iraheta Landaverde in Dolores Park in San Francisco (MS-13 20th Street clique territory). Officers noted that the back of a nearby public sign had been freshly vandalized, with MS-13 graffiti, in blue ink. The graffiti made a specific reference to the 20th Street clique. Iraheta Landaverde had blue ink on his hands and had discarded a paint pen nearby.

In October 2016, November 2016, December 2016, and August 2017, law enforcement officers encountered Alvarado Amaya in MS-13 gang territory with codefendants and 20th Street clique members Kenneth Campos, Kevin Ramirez Valencia, Rogelio Belloso Aleman, Evert Galdamez Cisneros, Elmer Rodriguez, Kevin Guatemala Zepeda, and Kevin Reyes Melendez.

On November 30, 2017, Alvarado Amaya was the principal assailant in the stabbing of R.L., a suspected Norteño. Alvarado Amaya used a short-bladed knife (perhaps a box cutter) to repeatedly stab R.L. in the chest and face while fellow MS-13 20th Street clique member Oscar Espinal assisted with the assault. This incident is charged as a VICAR assault in Count Eight of the Superseding Indictment and is explained in more detail later in this memorandum.

On December 6, 2017, officers arrested Alvarado Amaya for his involvement in the November stabbing. When they arrested him, he was in the company of MS-13 20th Street clique member and

codefendant Fernando Romero Bonilla. When Alvarado Amaya was booked, he did not have any tattoos on his left arm. Subsequently, correctional officers noticed a tattoo on Alvarado Amaya's left arm demonstrating his allegiance to the 20th Street clique of MS-13. That tattoo is shown below:



C. FERNANDO ROMERO BONILLA



Fernando Romero Bonilla ("Black")

Racketeering Conspiracy (Count One);
Assault with a Dangerous Weapon in Aid of
Racketeering (Count Ten)

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1 On at least five occasions between July 2017 and February 2018, Romero Bonilla was
2 encountered by law enforcement in MS-13 gang territory with other 20th Street clique members,
3 including codefendants Wilfredo Iraheta Landaverde, Kevin Reyes Melendez, Evert Galdamez Cisneros,
4 Kevin Ramirez Valencia, Rogelio Belloso Aleman, Oscar Espinal, and Edwin Alvarado Amaya.

5 On September 5, 2017, police arrested Romero Bonilla and Kevin Reyes Melendez after
6 witnesses identified them as the perpetrators of an assault and robbery of a 17-year-old victim. The
7 investigation revealed that the victim was sitting at a bus stop at 18th and Mission Streets (within the
8 area claimed by MS-13), when the two assailants approached, hit him with a broken mop handle, and
9 took his headphones and cell phone. The stolen cell phone was returned to the victim by an unknown
10 individual after the assailants fled. The case was not prosecuted by local authorities.

11 On January 24, 2019, Romero Bonilla, Evert Galdamez Cisneros, Kevin Guatemala Zepeda, and
12 two other MS-13 gang members perpetrated the assault of a family of four near Mission Playground
13 (which is within MS-13 gang territory). Most of the group had knives, and one had a gun. Romero
14 Bonilla is seen on surveillance video throwing and landing punches on a 15-year-old minor victim.
15 Romero Bonilla also possessed a knife during the assault. This incident is charged as a VICAR assault
16 in Count Ten and is explained in more detail later in this memorandum.

17 On May 26, 2019, Romero Bonilla was shot during a gang-related confrontation at Dolores Park
18 (which MS-13 claims as its gang territory). Police believe that the shooting was perpetrated by a rival
19 Sureño gang from the East Bay. In an interview with law enforcement, Romero Bonilla claimed not to
20 know who shot him. Recorded jail calls indicate that members of the 20th Street clique who were out of
21 custody (including Guatemala Zepeda and Campos, among others) communicated with in-custody gang
22 members (including Rodriguez, Cruz Zepeda, and Alvarado Amaya) to report the gang's investigation
23 of what had happened, who was responsible, and what action, if any, the gang should take.

24 In late 2019, agents seized a cell phone from Romero Bonilla and searched it pursuant to a
25 federal search warrant. Further, on October 18, 2019, agents seized and subsequently searched a cell
26 phone from Evert Galdamez Cisneros. The two cell phone dumps included voice memoranda of
27 conversations involving Galdamez Cisneros, Romero Bonilla, and Iraheta Landaverde. Among the
28 topics discussed by Romero Bonilla and Galdamez Cisneros was a plot, in approximately September and

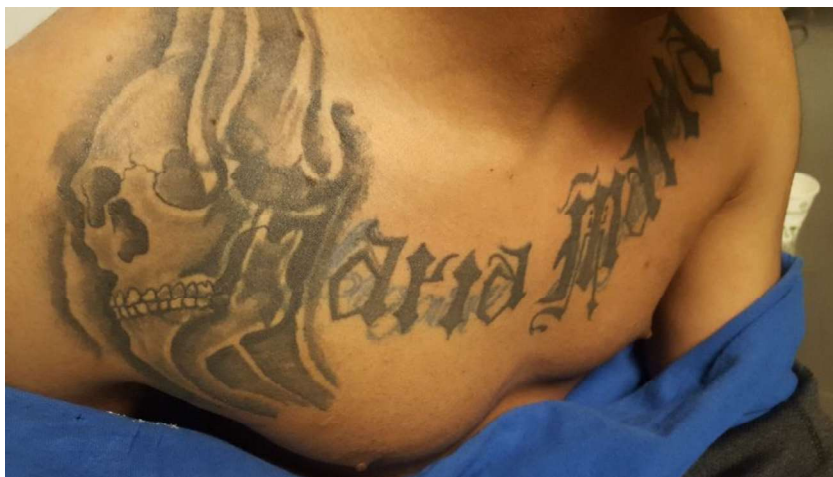
1 October 2019, whereby Galdamez Cisneros and Iraheta Landaverde would travel to Los Angeles to
2 assist MS-13 members there in the murder of two “rogue” MS-13 members, all on the instruction from
3 higher-ups in El Salvador.

4 Law enforcement officers have collected social media photographs showing Romero Bonilla
5 with other MS-13 20th Street clique members. In the photo on the left below, Romero Bonilla poses
6 with a group of MS-13 20th clique members, including a number of codefendants in this case: The back
7 row, from left to right, includes Velis Diaz, Romero Bonilla (second from the viewer’s left, wearing a
8 striped beanie), the Galdamez Cisneros standing next to Rodriguez, with Reyes Melendez standing in
9 the second spot from the end. Guatemala Zepeda is seated on the bike in the middle front, with
10 Alvarado Amaya (sporting a green beanie) crouched next to him. This photograph was posted on Elmer
11 Rodriguez’s Instagram account on July 29, 2017. In the photograph on the right below (posted on
12 Rodriguez’s Instagram account on December 2, 2017), Romero Bonilla appears in the back, while
13 fellow 20th Street clique members Elmer Rodriguez (left) and Oscar Espinal (right) flash MS-13 gang
14 signs:

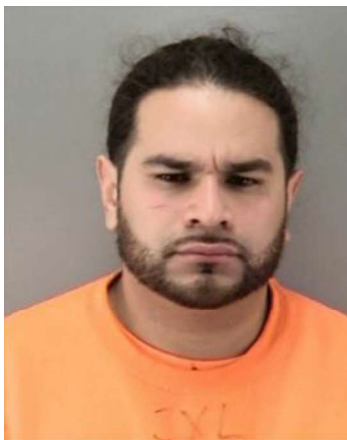


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26 In addition, law enforcement has obtained photographs showing that Romero Bonilla has at least
27 one gang tattoo. The photograph below, taken after Romero Bonilla’s February 24, 2019 arrest in
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1 connection with the January 24, 2019 assault described above, shows an “M” and a “13,” blended into a
2 depiction of a human skull, on Romero-Bonilla’s right shoulder and chest.



11
12 **D. KENNETH CAMPOS**



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21 **Kenneth Campos (“Nesio”)**

22 Racketeering Conspiracy (Count One);
23 Assault with a Dangerous Weapon in Aid of
24 Racketeering (Count Five, Count Nine)

25 In December 2015, officers encountered Campos at a memorial for slain MS-13 gang member
26 Hector Salvador (“Spider”) along with fellow MS-13 20th Street clique members and codefendants
27 Elmer Rodriguez and Kevin Ramirez Valencia.

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1 On October 27, 2016, Campos used a shod foot to kick and stomp at least one victim in the head
2 outside the Prita Hotel in San Francisco's Mission District. Campos was part of a group that perpetrated
3 the assault against three victims, including the one whom Campos kicked and stomped. One member of
4 Campos's group robbed a cell phone from one of the victims during the assault. The next day, Campos
5 referenced having kicked a victim in the head on social media. This incident is charged as a VICAR
6 assault in Count Five of the Superseding Indictment and is explained in more detail later in this
7 memorandum.

8 At least five times between December 2016 and August 2017, law enforcement officers
9 encountered Campos in gang territory, often with other MS-13 20th Street members. This includes
10 codefendants Alexis Cruz Zepeda, Elmer Rodriguez, Rogelio Belloso Aleman, Kevin Reyes Melendez,
11 and Kevin Guatemala Zepeda.

12 Campos was present at the Beauty Bar on the night of March 17, 2017, the date on which two
13 MS-13 members (Mejia Carrillo and Cruz Zepeda) perpetrated the murder of a suspected Norteño.
14 Mejia Carillo and Cruz Zepeda were later convicted of this murder in state court.

15 On May 27, 2018, Campos and fellow MS-13 20th Street clique gang members and codefendants
16 Rogelio Belloso Aleman and Kevin Reyes Melendez perpetrated the assault and stabbing of a suspected
17 Norteño in Dolores Park (which MS-13 claims as its gang territory). For their conduct, Reyes
18 Melendez, Belloso Aleman, and Campos all pled guilty to felony battery in state court and each received
19 360-day jail sentences. This incident is charged as VICAR assault in Count Nine and is explained in
20 more detail later in this memorandum.

21 The government has also obtained photographs from social media showing Campos with other
22 MS-13 20th Street clique members (including, among others, Reyes Melendez and Belloso Aleman).
23 One such photograph, posted on Campos's Facebook account on April 2, 2018, is set forth below.
24 Campos is in the red jacket on the viewer's right. The other individuals in the photograph include MS-
25 13 20th Street members with some individuals flashing gang signs including "*La Garra*."

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E. EVERT GALDAMEZ CISNEROS



Evert Galdamez Cisneros (“Talentoso”)

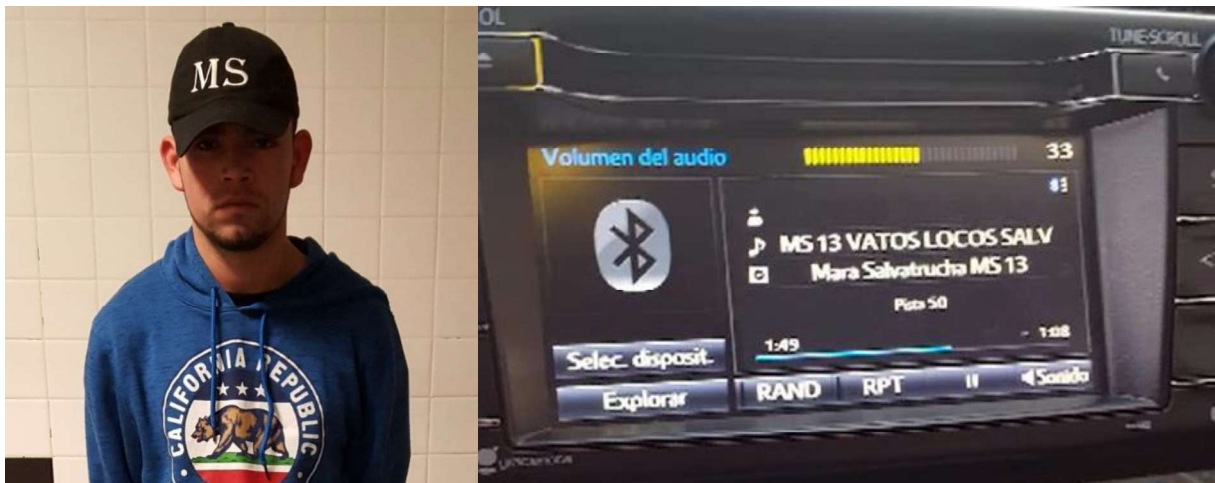
Racketeering Conspiracy (Count One);
Assault with a Dangerous Weapon in Aid
of Racketeering (Count Ten)

In September 2016, law enforcement officers in Los Angeles encountered Galdamez Cisneros with four other MS-13 gang members, including Jose Tercero and codefendant Elmer Rodriguez. On November 5, 2016, law enforcement officers in San Francisco encountered Galdamez Cisneros in Dolores Park in San Francisco – an area claimed by the 20th Street clique – with 20th Street clique members and codefendants Rogelio Belloso Aleman, Edwin Alvarado Amaya, and Kevin Ramirez Valencia.

On at least five separate occasions in 2017 (January, March, June, July, and November), law enforcement officers encountered Galdamez Cisneros in MS-13 territory with members of the MS-13 20th Street clique, including codefendants Alexis Cruz Zepeda, Rogelio Belloso Aleman, Kevin Ramirez Valencia, Elmer Rodriguez, Wilfredo Iraheta Landaverde, Oscar Espinal, and Fernando Romero Bonilla.

On January 24, 2019, Galdamez Cisneros, Romero Bonilla, Kevin Guatemala Zepeda, with two other MS-13 members or associates, perpetrated the assault of a family of four near Mission Playground (which is within MS-13 gang territory). Most of the group had knives, and one had a gun. Galdamez Cisneros is identifiable on surveillance video throwing and landing punches on a 15-year-old minor victim. This incident is charged as a VICAR assault in Count Ten of the Superseding Indictment and is explained in more detail later in this memorandum.

When Galdamez Cisneros was arrested for his involvement in this assault, he was at Mission Playground, wearing a hat that read “MS.” Furthermore, he was also playing MS-13 rap music in his car. A music application on his phone was playing a song entitled “MS13 20 MISSINEROS (XXST),” a specific reference to the 20th Street clique. Photographs of his hat and car dashboard, taken in the course of his February 4, 2019 arrest, are shown below:



Later in 2019, agents executed a federal search warrant on a cell phone that had been seized from Galdamez Cisneros on October 18, 2019. A cell phone dump yielded voice memoranda (believed to be from use of WhatsApp) of discussions between Galdamez Cisneros and other MS-13 gang members

1 concerning Galdamez Cisneros obtaining drugs from a source in Los Angeles and selling them to raise
2 money for the gang.

3 Also included in this second cell dump are voice memoranda showing conversations in which
4 codefendants Galdamez Cisneros and Romero Bonilla, in approximately September and October 2019,
5 appear to discuss a plan for them to travel to Los Angeles to assist MS-13 members there in the murder
6 of two “rogue” MS-13 members, all on the instruction from higher-ups in El Salvador. The plot initially
7 involved Ramirez Valencia as a participant in the trip to Los Angeles. The phone evidence reveals that
8 Ramirez Valencia backed out of the plot, prompting discussions between Galdamez Cisneros and Iraheta
9 Landaverde to kill Ramirez Valencia (including “getting rid of the rotten fruit” and “making him
10 vanish”). This second phone dump included a photograph of a handgun, sent via Facebook Messenger
11 by Iraheta Landaverde on October 12, 2019. It also included a photo of a second firearm, a pistol grip
12 shotgun, taken on October 17, 2019.

13 In April 2019, Galdamez Cisneros was encountered in MS-13 gang territory with multiple
14 MS-13 20th Street clique members, including codefendants Rogelio Belloso Aleman and Kevin Reyes
15 Melendez. In May 2019, Galdamez Cisneros was again encountered in gang territory, this time near
16 white graffiti that read, “MS 13 20st.”

17 In addition, through warrants executed on the social media accounts of MS-13 gang members,
18 law enforcement has obtained photographs depicting Galdamez Cisneros with other MS-13 20th Street
19 clique members and depicting Galdamez Cisneros throwing gang signs. The photograph shown below
20 on the left depicts Galdamez Cisneros making “*La Garra*,” which is a claim of MS-13 membership.
21 The photograph on the right shows Galdamez Cisneros with fellow gang member Kevin Reyes
22 Melendez at Mission Playground (which is within MS-13 gang territory). Both are making MS-13 gang
23 signs.

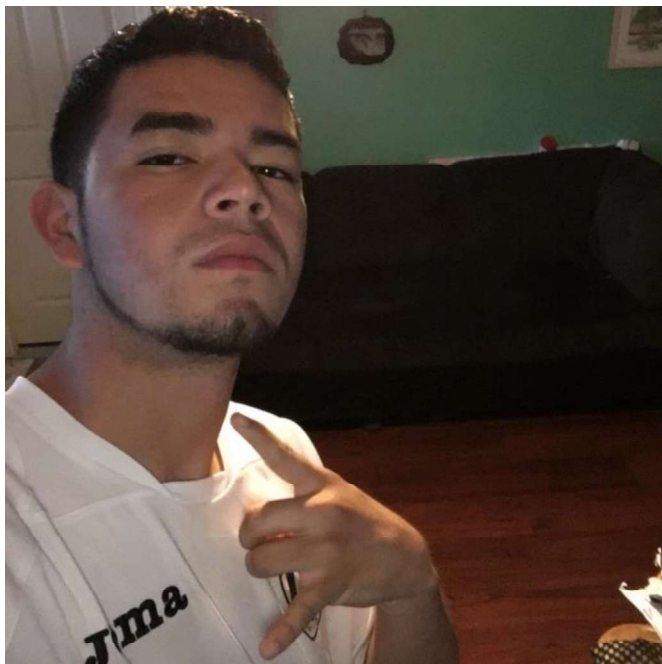
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F. LUIS VELIS DIAZ



Luis Velis Diaz ("Popa")

Racketeering Conspiracy (Count One);
Assault with a Dangerous Weapon in Aid of
Racketeering (Count Eleven)

1 On May 30, 2014, 15-year-old Luis Velis Diaz and a 14-year-old accomplice were arrested for
2 armed robbery of a female victim near Dolores Park. A third suspect escaped apprehension. According
3 to witness reports, the three males accosted the woman on Sanchez Street, held her at gunpoint and tried
4 to rob her. She resisted, calling for help. Various witnesses rushed to her assistance, and the three
5 suspects fled to Dolores Park, dropping a firearm (found to be an airsoft BB gun when recovered) and a
6 Taser in the process. Both the accomplice and Velis Diaz were caught and held by witnesses. Velis
7 Diaz was identified as the youth who held the gun during the robbery. Velis Diaz provided a false
8 name and date of birth, but was eventually identified. He denied involvement in the robbery. At the
9 police station he became aggressive, swore at officers, muttered "Mara Salvatrucha" under his breath,
10 and threw gang signs with his hands, which were cuffed behind his back. Officers restrained him in a
11 DUI chair. Velis Diaz sustained a juvenile wardship for felony robbery, with twelve months' probation.

12 In September 2016, Velis Diaz was present in Los Angeles at the same time as other 20th Street
13 clique members. Police records do not list him among the group encountered by law enforcement in Los
14 Angeles (Alexis Cruz Zepeda, Elmer Rodriguez, Evert Galdamez Cisneros, Jose Tercero, and Wilfredo
15 Iraheta Landaverde). However, Velis Diaz was arrested on September 26, 2016 by Santa Monica
16 Police, and shortly thereafter was sentenced to three years' probation with 30 days in jail.

17 On April 6, 2019, Velis Diaz stabbed a suspected gang rival outside the Delirium Bar in San
18 Francisco. The government's evidence establishes that a group of six, including Velis Diaz and fellow
19 MS-13 20th Street clique members and codefendants Ronalddy Dominguez and Marvin Osegueda
20 Saravia, confronted the victim and asked whether he was a Norteño. Shortly after the initial
21 confrontation, Velis Diaz walked by the victim and stabbed him twice in the abdomen. This incident is
22 charged as a VICAR assault in Count Eleven and is explained in more detail later in this memorandum.

23 On April 14, 2019, Velis Diaz was arrested for strong-armed robbery in gang territory. Officers
24 responded to the area of 14th and Valencia Streets. Velis Diaz tried to flee, but was stopped at gunpoint.
25 Velis Diaz was identified as the male who had grabbed a gold chain from around the victim's neck and
26 taken it. Officers seized the gold chain from Velis Diaz's front left pants pocket. The case has not been
27 prosecuted.

On May 7, 2019, Velis Diaz was arrested near Mission and 22nd Streets (an area on the border between MS-13 territory and Norteño territory) by officers responding to a call of a man pointing a firearm. Surveillance video footage, and witness statements, established that Velis Diaz, chased by two unidentified Hispanic males in black, drew a black handgun, racked the slide, and pointed it at his pursuers, who fled. The officers chased Velis Diaz, wrestled him down and arrested him. They found a black handgun inside the leg of his pants. It was a .40 caliber “80 per cent” Glock semiautomatic pistol, loaded with eight rounds in the magazine and one in the chamber.

In the course of the investigation, the government has collected social media evidence showing Velis Diaz associating with other gang members. In addition, Velis Diaz bears tattoos indicative of MS-13 membership. Set forth below on the left is a photograph of Elmer Rodriguez (left), making “*La Garra*” and standing next to Velis Diaz (right), who makes an “M” and “S” with his right hand. That photograph was posted on Rodriguez’s Instagram account on May 28, 2017 with a caption reading, “Con mi dogi ms13 20 s t.” The photograph to the right, taken on March 9, 2018, shows a tattoo on Velis Diaz’s left hand, with “20 st,” a direct reference to the MS-13 20th Street clique.



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1 **G. RONALDY DOMINGUEZ**



10 **Ronaldy Dominguez (“Smokey”)**

11 Racketeering Conspiracy (Count One);
12 Attempted Murder in Aid of Racketeering
13 (Count Two); Assault with a Dangerous
 Weapon in Aid of Racketeering (Count
 Eleven, Count Fourteen)

14 On September 16, 2016, Dominguez was the getaway driver after an attempted murder
15 perpetrated by fellow MS-13 20th Street clique members and codefendants Alexis Cruz Zepeda and
16 Kevin Reyes Melendez. Cruz Zepeda and Reyes Melendez fired approximately eight shots at a
17 suspected Norteño as he attempted to flee their attack. Cruz Zepeda and Reyes Melendez, with two
18 companions, then ran to the getaway car driven by Dominguez. Dominguez sped off, colliding with
19 another vehicle shortly thereafter, and leading officers on a high-speed chase. He and his four
20 companions escaped the pursuit only when he drove the wrong way down a freeway off ramp. This
21 incident is charged as a VICAR attempted murder in Count Eleven and is explained in more detail later
22 in this memorandum.

23 On April 6, 2019, Dominguez played a culpable role in the assault and stabbing of a suspected
24 Norteño outside the Delirium Bar, located in MS-13 territory in the Mission District of San Francisco.
25 Dominguez punched the victim before codefendant Luis Velis Diaz stabbed him. Dominguez also acted
26 as a lookout during the stabbing portion of the assault. Other MS-13 20th Street clique members,
27 including codefendant Marvin Osegueda Saravia, also acted as a lookout during the stabbing. This
28

1 incident is charged as VICAR assault in Count Eleven of the Superseding Indictment and is explained in
2 more detail later in this memorandum.

3 On August 12, 2019, Dominguez participated in the violent group assault outside Little Star
4 Pizza in San Francisco, along with, among others, fellow MS-13 20th Street clique members and
5 codefendants Kevin Ramirez Valencia, Marvin Osegueda Saravia, Missael Mendoza, and Christian
6 Quintanilla. Of note here is that some assailants are seen on video making MS-13 gang signs.
7 Dominguez is seen on surveillance video footage from the inside of the pizza shop, displaying a machete
8 to the victims as his fellow assailants display gang signs. This incident is charged as a VICAR assault in
9 Count Fourteen and is explained in more detail later in this memorandum.

10 The photographs set forth below, posted on Elmer Rodriguez's Instagram account on June 1,
11 2014, October 9, 2014, and October 30, 2014, respectively, show Dominguez with other MS-13 20th
12 Street clique members:

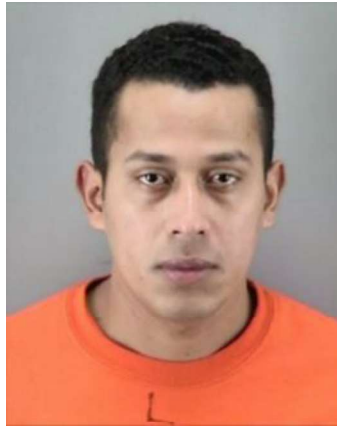


21 Dominguez also has a tattoo reading, "RIP Hector," which is a reference to slain MS-13 20th
22 Street clique member Hector Salvador (who died on December 6, 2015). This tattoo is shown below:

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H. OSCAR ESPINAL



Oscar Espinal ("Chuy")

Racketeering Conspiracy (Count One);
Attempted Murder in Aid of Racketeering
(Count Eight)

On March 17, 2017, Espinal was present at the Beauty Bar with MS-13 20th Street clique members Elmer Rodriguez, Rogelio Belloso Aleman, Kenneth Campos, Evert Galdamez Cisneros, Wilfredo Iraheta Landaverde, Alexis Cruz Zepeda, and Jose Mejia Carillo. As explained in more detail elsewhere in this memorandum, Cruz Zepeda and Mejia Carillo confronted a suspected Norteño outside the bar that night, and Mejia Carillo shot him to death.

1 On November 11, 2017, law enforcement officers pulled over a car containing Espinal and MS-
2 13 20th Street clique members and codefendants Elmer Rodriguez, Kevin Ramirez Valencia, and
3 Rogelio Belloso Aleman. A firearm was found in the front passenger area, but no prosecution resulted.
4 Just four days later, on November 15, 2017, officers encountered Espinal in MS-13 territory with 20th
5 Street clique members and codefendants Rogelio Belloso Aleman, Kevin Reyes Melendez, Evert
6 Galdamez Cisneros, Kevin Ramirez Valencia, Wilfredo Iraheta Landaverde, and Fernando Romero
7 Bonilla.

8 On November 30, 2017, Espinal participated in the attempted murder and robbery of a suspected
9 Norteño with fellow MS-13 20th Street clique member Edwin Alvarado Amaya. Espinal helped chase
10 down the victim, held him down, struck him, and helped go through his pockets while Alvarado Amaya
11 repeatedly stabbed him.

12 The government has also obtained photos, primarily from social media accounts, showing
13 Espinal with other MS-13 20th Street clique members. The two photographs set forth below show
14 Espinal with 20th Street clique leader and codefendant Elmer Rodriguez. In the photograph on the left,
15 Rodriguez and Espinal are flashing "*La Garra*," which is a claim of MS-13 membership. This
16 photograph was posted on Rodriguez's Instagram account on December 2, 2017. In the photo on the
17 right, Rodriguez and Espinal are making the shape of an "M" and "S" with their arms and bodies. This
18 photograph was found on the cell phone seized from Espinal when he was arrested on December 12,
19 2017.

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I. WILFREDO IRAHETA LANDAVERDE



Wilfredo Iraheta Landaverde (“Wally”)

Racketeering Conspiracy (Count One)

In September 2016, law enforcement officers in Los Angeles encountered Iraheta Landaverde (who identified himself as “Alejandro Franco”) with several MS-13 gang members, including codefendants Evert Galdamez Cisneros, Elmer Rodriguez, and Alexis Cruz Zepeda. As set forth above, all are members of San Francisco’s 20th Street clique. On October 7, 2016, officers encountered Iraheta Landaverde in Dolores Park in San Francisco (which is within MS-13 20th Street clique territory). With

him were Edwin Alvarado Amaya and two MS-13 gang members/associates who appeared to have accompanied the group back from Los Angeles. Officers noticed that the back of a nearby public sign had been freshly vandalized, with MS-13 graffiti, in blue ink. The graffiti made a specific reference to the 20th Street clique. Moreover, Iraheta Landaverde had blue ink on his hands and had discarded a paint pen nearby. Photographs of the graffiti and Iraheta Landaverde, taken by officers that day, are set forth below:



On at least four separate occasions in 2017 (January, March, June, July, and November), law enforcement officers encountered Iraheta Landaverde in MS-13 territory with members of the MS-13 20th Street clique, including codefendants Evert Galdamez Cisneros, Kevin Guatemala Zepeda, Fernando Romero Bonilla, Kevin Reyes Melendez, Kevin Ramirez Valencia, Rogelio Belloso Aleman, and Oscar Espinal. On another occasion in May 2017, officers responded to a reported incident at a taqueria after a victim was confronted and assaulted by a group of Hispanic men who identified themselves as MS-13 gang members. Surveillance video footage reviewed by police revealed that the group included Iraheta Landaverde and codefendant Elmer Rodriguez.

On June 7, 2019, Iraheta Landaverde was encountered during a traffic stop by law enforcement with him were Marvin Osegueda Saravia, a codefendant and known MS-13 20th Street clique member, and two other associates. Four days later, on June 11, 2019, Daly City Police officers responded to a shooting at Marchbank Park in Daly City, California. Surveillance video from various cameras, together

1 with a thorough investigation by Daly City police officers, revealed that the shooter, a 16-year-old MS-
2 13 member/associate, approached a 2011 Audi registered to Iraheta Landaverde and, using an electronic
3 key fob, retrieved a handgun. He then used the handgun to fire multiple rounds. His targets were two
4 males wearing red, one of whom had, three days earlier, been in a fight with MS-13 associates in Daly
5 City. Police determined that one of the shooter's rounds struck the windshield at a point where one of
6 the victims was sitting. However, none of the shots penetrated the windshield or struck the occupants.
7 One victim was hit by glass.

8 Before the June 11, 2019 shooting, Iraheta Landaverde was playing soccer with Osegueda
9 Saravia, the shooter, and other MS-13 associates. Marchbank Park, the location of the shooting, has
10 traditionally been claimed by Norteños, but MS-13 has recently attempted to exert control over the area.
11 The shooter, who is a fugitive, is currently charged with attempted murder in state court. Iraheta
12 Landaverde is charged with accessory.

13 As described under the section above addressing Evert Galdamez Cisneros, there is evidence of
14 conversations between Galdamez Cisneros and Iraheta Landaverde regarding their travel down to Los
15 Angeles in late 2019 to assist with the murder of two "rogue" MS-13 members under instructions from
16 El Salvador. Iraheta Landaverde's participation in this conversation is supported by a photograph of a
17 pistol that he sent to Galdamez Cisneros via Facebook Messenger on October 12, 2019.

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1 **J. KEVIN REYES MELENDEZ**



10 **Kevin Reyes Melendez (“Neutron”)**

11 Racketeering Conspiracy (Count One);
12 Attempted Murder in Aid of Racketeering
13 (Count Two); Discharge of a Firearm During
 and in Furtherance of a Crime of Violence
 (Count Four); Assault with a Dangerous
 Weapon in Aid of Racketeering (Count Nine)

14

15 On September 16, 2016, Reyes Melendez and fellow MS-13 20th Street clique member and

16 codefendant Alexis Cruz Zepeda were triggermen in the attempted murder of a suspected Norteño, who

17 was struck multiple times in the buttocks and legs as he tried to flee. Reyes Melendez and Cruz Zepeda,

18 along with two companions, then ran to a car driven by fellow MS-13 20th Street clique member and

19 codefendant Ronaldy Dominguez. There ensued a high speed chase, during which the two handguns

20 were tossed from the getaway car. The fleeing attackers eluded capture by driving the wrong way down

21 a freeway off ramp, at which point police broke off pursuit. This incident is charged as a VICAR

22 attempted murder in Count Two of the Superseding Indictment and is explained in more detail later in

23 this memorandum.

24 On at least seven occasions in 2017, law enforcement officers encountered Reyes Melendez in

25 the company of fellow 20th Street clique members, including codefendants Alexis Cruz Zepeda, Elmer

26 Rodriguez, Rogelio Belloso Aleman, Luis Velis Diaz, Wilfredo Iraheta Landaverde, Kevin Guatemala

27 Zepeda, Evert Galdamez Cisneros, Edwin Alvarado Amaya, Fernando Romero Bonilla, and Oscar

28 Espinal. On one of these occasions – September 5, 2017, in gang territory – witnesses identified Reyes

Melendez and Romero Bonilla as perpetrators in an assault and robbery. On another – November 15, 2017 – officers found a knife with brass knuckles in Reyes Melendez’s backpack.

On May 27, 2018, Reyes Melendez and fellow MS-13 20th Street clique gang members and codefendants Rogelio Belloso Aleman and Kenneth Campos perpetrated the assault and stabbing of a suspected Norteño in MS-13 gang territory. For their conduct, Reyes Melendez, Belloso Aleman, and Campos all pled guilty to battery in state court and each received 360-day jail sentences. This incident is charged as a VICAR assault in Count Nine and is explained in more detail later in this memorandum.

On April 12, 2019, shortly after Reyes Melendez finished his custodial term for the May 28, 2018 assault, he was encountered in gang territory with fellow MS-13 20th Street clique members and codefendants Rogelio Belloso Aleman and Evert Galdamez Cisneros. Three days later, he was taken into immigration custody on an outstanding removal warrant. While in immigration custody in May 2019, Reyes Melendez was involved in an incident in which another admitted MS-13 gang member assaulted another detainee. Surveillance video of the incident shows Reyes Melendez speaking with the victim and the assailant before the assault, and then acting as a lookout while the assault took place.

Throughout our investigation, we have also compiled social media photographs showing Reyes Melendez associating with other MS-13 20th Street clique members and flashing gang signs. Two of these photos, posted on Elmer Rodriguez’s Instagram account on May 20, 2016, and August 13, 2016, respectively, are set forth below:



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1 **K. MISSAEL MENDOZA**



10 **Missael Mendoza**

11 Assault with a Dangerous Weapon in Aid of
12 Racketeering (Count Thirteen, Count
13 Fourteen)

14 On August 6, 2019, Mendoza participated in the stabbing of a suspected Norteño along with
15 fellow MS-13 20th Street clique member Byron Romero Pavon. Mendoza was seen walking away from
16 the location of the assault shortly after. He was arrested, and found to have what appeared to be blood
17 on his clothes and shoes. DNA analysis matched the victim's DNA to one of Mendoza's shoes and one
18 of his shirt sleeves. This incident is charged as a VICAR assault in Count Thirteen of the Superseding
19 Indictment and is explained in more detail later in this memorandum.

20 On August 12, 2019, Mendoza participated in the violent group assault outside Little Star Pizza
21 in San Francisco, along with fellow MS-13 20th Street clique members and codefendants Ronaldy
22 Dominguez, Kevin Ramirez Valencia, Marvin Osegueda Saravia, and Christian Quintanilla. Mendoza is
23 seen on surveillance video striking one of the victims in the head with a cooler (which was seized by
24 police at the crime scene, with blood spatters on the rim and interior). This incident is charged as a
25 VICAR assault in Count Fourteen of the Superseding Indictment and is explained in more detail later in
26 this memorandum. Later that same day, August 12, 2019, Mendoza participated in a gang assault of two
27 juvenile males at a high school in Daly City, California, along with fellow gang members Bayron
28 Romero Pavon and Christian Quintanilla.

1 On August 14, 2019, just two days after Mendoza went into custody, a correctional officer
2 witnessed fellow gang member Bayron Romero Pavon retrieve a piece of paper from the floor outside
3 the door of Cell 8, in which Mendoza was housed alone. Deputies seized the single sheet of yellow
4 paper. On it are what appear to be handwritten rap lyrics which reference MS-13 members killing rival
5 Norteños – for example, “the 20 locotes killing these fuckers here” and “taking care of the *chapetes*” (a
6 derogatory term for a Norteño). The lyrics proclaim “20 street still in control over there in Mission and
7 in Valencia, just like Liro Ganster said.” The writer describes “my clique, the 20 Misioneros Locotes
8 Salvatrucha.” He closes with greetings to “el sospechoso de la 20” (identified as an alternative moniker
9 for Rogelio Belloso Aleman), “el delincuente de la 20” (identified as Kevin Ramirez Valencia), “el liro
10 ganster de la 20” (identified as an alternative moniker for Wilfredo Iraheta Landaverde), and el talentoso
11 de la 20 (identified as Evert Galdamez Cisneros). The writer likewise gives a salute to “los chekeos de
12 la 20 y los paros de la 20 y al otros homboy que andan caminando con los de la 20” (believed to refer
13 directly to the levels of associates in the clique other than jumped-in 20th Street clique members). Three
14 days later, on August 18, 2019, correctional officers found additional handwritten lyrics inside a
15 property bin belonging to Mendoza. These lyrics discussed allegiance to MS-13 and described violence
16 towards Norteños.

17 On October 28, 2019, correctional officers moved Mendoza to a new jail cell and, in doing so,
18 searched his belongings. After officers finished the search, Mendoza became agitated, got into a
19 fighting stance, yelled obscenities, and flashed MS-13 gang signs, including “*La Garra*.”

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1 **L. CHRISTIAN QUINTANILLA**



10 **Christian Quintanilla**

11 Assault with a Dangerous Weapon in Aid of
12 Racketeering (Count Twelve); Assault with a
13 Dangerous Weapon in Aid of Racketeering
14 (Count Fourteen)

15 On July 29, 2019, Quintanilla and fellow MS-13 20th Street clique member and codefendant
16 Marvin Osegueda Saravia participated, with perhaps as many as four or five other men, in the gang-
17 related assault of two females at 19th and Lexington Streets in San Francisco. During the assault, the
18 perpetrators claimed MS-13 membership. Quintanilla was a participant in the assault; the victim's DNA
19 was found on his shoe and on a knife that he admitted discarding at the scene; and the victim's cell
20 phone, taken during the assault, was seized from Quintanilla's pant pocket. This incident is charged as a
21 VICAR assault in Count Twelve of the Superseding Indictment and is explained in more detail later in
22 this memorandum.

23 On August 2, 2019, Quintanilla was encountered during a traffic stop with MS-13 20th Street
24 clique members Rogelio Belloso Aleman and Bayron Romero Pavon. On August 12, 2019, Quintanilla
25 participated in the violent group assault outside Little Star Pizza in San Francisco, along with – among
26 others – fellow MS-13 20th Street clique members and codefendants RonalDY Dominguez, Kevin
27 Ramirez Valencia, Marvin Osegueda Saravia, and Missael Mendoza. Quintanilla is believed to have
28 struck one of the victims with his fist and beaten the other victim with a metal rod. DNA analysis later

1 matched Quintanilla to a metal rod recovered from the scene. This incident is charged as VICAR assault
2 in Count Fourteen of the Superseding Indictment and is explained in more detail later in this
3 memorandum. Some ten hours later, Quintanilla participated in a gang assault of juvenile males at a
4 high school in Daly City, California. The assailants (who approached a student threateningly with
5 knives) also included fellow MS-13 20th Street clique members Missael Mendoza and Bayron Romero
6 Pavon.

7 On August 23, 2019, less than two weeks after his arrest in Daly City, correctional officers
8 searched the San Mateo County Jail cell that Quintanilla shared with Bayron Romero Pavon. Officers
9 found graffiti in the jail cell, including “MS 20 ST Mission,” “MS,” and “20th street Mission” written on
10 the walls and door of the cell. They also seized at least six pieces of paper containing various gang
11 references, including “MS 20 ST Mission.” Quintanilla claimed responsibility for the graffiti. On
12 September 23, 2019, correctional officers again searched Quintanilla’s cell. This time, they found a
13 piece of paper under his mattress with a drawing depicting the “devil horns” (i.e., *La Garra*, a common
14 MS-13 symbol) as well as writings referencing “13” and “Mara Salvatrucha.”

15 **M. ELMER RODRIGUEZ**



23
24 **Elmer Rodriguez (“Gordo”)**

25 Racketeering Conspiracy (Count One);
26 Attempted Murder in Aid of Racketeering
27 (Count Six); Discharge of a Firearm During
28 and in Furtherance of a Crime of Violence
(Count Seven)

1 In June 2014, Rodriguez was caught in MS-13 gang territory carrying a loaded .22 caliber pistol.
2 In March 2015, Rodriguez was encountered in gang territory smoking marijuana. In his nearby
3 backpack, officers found marijuana and brass knuckles marked with "M13S." Later that same March,
4 officers responded to a reported stabbing in MS-13 gang territory. A witness provided a cell phone
5 video showing Rodriguez participating in the assault. The victims were never identified, and the case
6 was not prosecuted by local authorities.

7 On multiple occasions throughout 2016 and 2017, Rodriguez was encountered in MS-13 gang
8 territory in the company of other 20th Street clique members, including codefendants Kenneth Campos,
9 Rogelio Belloso Aleman, Luis Velis Diaz, Kevin Reyes Melendez, Wilfredo Iraheta Landaverde, Kevin
10 Guatemala Zepeda, Evert Galdamez Cisneros, and others. In September 2016, he was encountered by
11 police in Los Angeles, accompanied by other gang members, and identified himself as a San Francisco
12 MS-13 20th Street member.

13 On March 17, 2017, Rodriguez was present at the Beauty Bar (a common gathering location for
14 the MS-13 20th Street clique) with 20th Street clique members Oscar Espinal, Rogelio Belloso Aleman,
15 Kenneth Campos, Evert Galdamez Cisneros, Wilfredo Iraheta Landaverde, Alexis Cruz Zepeda, and
16 Jose Mejia Carillo. Cruz Zepeda and Mejia Carillo confronted a suspected Norteño outside the bar that
17 night, and Mejia Carillo shot him dead. Mejia Carillo (the shooter) and Cruz Zepeda (an instigator and
18 lookout) were convicted in state court for their role in the murder, and are pending sentencing.

19 On November 11, 2017, officers pulled over a car carrying Rodriguez, 20th Street clique
20 members and codefendants Rogelio Belloso Aleman, Oscar Espinal, Kevin Ramirez Valencia, another
21 gang member, and two associates. Officers found a firearm on the floorboard where Rodriguez had
22 been sitting, but no charges resulted. Two days later, on November 13, 2017, a search warrant executed
23 at Rodriguez's residence yielded two high-capacity magazines, photographs showing Rodriguez flashing
24 MS-13 gang signs, and a prison photograph of four MS-13 members convicted in Operation Devil
25 Horns, a prior MS-13 20th Street prosecution in the Northern District of California (CR 08-0730 WHA).
26 That same photograph was posted on Rodriguez's Instagram page on October 1, 2017.

27 On November 26, 2017, Rodriguez shot a Honduran drug dealer at close range with a shotgun.
28 This shooting was part of an ongoing effort, led by Rodriguez, to tax drug dealers for selling their drugs

1 in MS-13 territory. This incident is charged as a VICAR attempted murder in Count Six of the
2 Superseding Indictment and is explained in more detail later in this memorandum.

3 From 2013 through his arrest in December 2017, Rodriguez was active on social media
4 (Instagram and Facebook). Law enforcement has compiled a series of photographs, spanning four years,
5 depicting Rodriguez flashing MS-13 gang signs, posing with other MS-13 20th Street clique members,
6 and captioning photographs and other posts with claims of MS-13 membership and references to the
7 20th Street clique. Two of these photos are shown below:



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1 **N. MARVIN OSEGUEDA SARAVIA**



10 **Marvin Osegueda Saravia**

11 Assault with a Dangerous Weapon in Aid
12 of Racketeering (Count Twelve); Assault
13 with a Dangerous Weapon in Aid of
14 Racketeering (Count Fourteen)

15 On April 6, 2019, Osegueda was present for the assault and stabbing of a suspected rival gang
16 member outside the Delirium Bar in San Francisco. Luis Velis Diaz stabbed the victim. Dominguez
17 punched the victim before Velis Diaz stabbed him. Osegueda Saravia acted as a lookout during the
18 stabbing.

19 On June 8, 2019, officers responded to Marchbank Park in Daly City, California, on the report of
20 an assault. Osegueda Saravia was identified as having hit the victim in the stomach with a baseball bat
21 while yelling “La Mara” (a reference to MS-13). Daly City investigated the incident, and on August 31,
22 2019, Osegueda Saravia was arrested for assault with a bat.

23 On July 29, 2019, Osegueda Saravia participated in the assault of two females at 19th and
24 Lexington along with fellow MS-13 20th Street clique member and codefendant Christian Quintanilla.
25 Osegueda Saravia participated in the assault, including by swinging a knife at a victim. Osegueda
26 Saravia’s DNA was found on one of four knives recovered at the scene. This incident is charged as a
27 VICAR assault in Count Twelve of the Superseding Indictment and is explained in more detail later in
28 this memorandum.

On August 12, 2019, Osegueda Saravia participated in the violent group assault outside Little Star Pizza in San Francisco, along with fellow MS-13 20th Street clique members and codefendants Ronaldy Dominguez, Kevin Ramirez Valencia, Christian Quintanilla, and Missael Mendoza. Osegueda Saravia is seen on surveillance video striking one victim in the head with a wooden stick and then striking the other victim numerous times with a stick. Osegueda Saravia's DNA was later found on a broken piece of the stick. This incident is charged as a VICAR assault in Count Fourteen of the Superseding Indictment and is explained in more detail later in this memorandum.

Since being taken into custody on August 31, 2019, Osegueda Saravia has been held at San Mateo County Jail. On September 9, 2019, corrections officers at the jail intercepted a kite being delivered from Osegueda Saravia's cell to the cell of a known Sureño gang member. The kite read, in part: "Marvin Edgardo Osegueda Saravia . . . I'm From: SF 20st MS13." On October 13, 2019, corrections officers had to break up a fight between Osegueda Saravia and a self-admitted Norteño.

O. KEVIN RAMIREZ VALENCIA



Kevin Ramirez Valencia ("Delincuente")

Racketeering Conspiracy (Count One);
Assault with a Dangerous Weapon in Aid of
Racketeering (Count Fourteen)

In April 2015, law enforcement officers encountered Ramirez Valencia with fellow MS-13 20th Street clique member and codefendant Rogelio Belloso Aleman. A consent search of Ramirez

1 Valencia's cell phone revealed photographs of Ramirez Valencia flashing MS-13 gang signs and
2 possessing what appeared to be firearms.

3 On November 26, 2015, Ramirez Valencia and his juvenile girlfriend were encountered in a
4 parked vehicle outside gang territory. Ramirez Valencia claimed to have his California Identification
5 Card in the vehicle, and allowed the officers to search for it. They found suspected cocaine in the
6 driver's side door pouch. Ramirez Valencia confirmed that it was cocaine but claimed that it was for his
7 personal use. The officers then conducted a probable cause search of the entire vehicle, ultimately
8 finding crack cocaine secreted in a Monster energy drink can with a hidden stash compartment; a soft
9 handgun case (but no handgun or ammunition); a portable scale; and packaging materials. At the
10 booking counter, Ramirez Valencia revealed that he also had small baggies of cocaine hidden in each
11 sock inside his shoes. He was wearing a blue belt with "MS-13" on the buckle.

12 On September 15, 2016, Ramirez Valencia was arrested in Los Angeles in connection with an
13 armed robbery that had been committed on Hollywood Boulevard the day before. An investigation
14 revealed that Ramirez Valencia had operated in concert with three confirmed Los Angeles MS-13
15 members to perpetrate the armed robbery of four females of purses, cell phones, and a necklace.
16 According to witnesses, the suspects demanded, "Give me all your money" while pointing two guns at
17 the females. The three then ran to the getaway vehicle (later identified as Ramirez Valencia's Saturn
18 Vue), where a fourth suspect was waiting. Officers arrested the four suspects the following day. They
19 seized two replica handguns, and in Ramirez Valencia's Saturn, they found one victim's stolen cell
20 phone. Ramirez Valencia was not prosecuted.

21 Other 20th Street clique members were also encountered in Los Angeles in that approximate
22 time period. As noted above, in September 2016, LAPD officers encountered and photographed
23 together: Elmer Rodriguez, Evert Galdamez Cisneros, Jose Tercero, Wilfredo Iraheta Landaverde, and
24 Alexis Cruz Zepeda. Moreover, between September 23 and September 26, 2016, three different police
25 jurisdictions in the area encountered and arrested Velis Diaz (grand theft, Santa Monica Police), Tercero
26 (vehicle theft, Rampart Division of LAPD), and Rodriguez (local ordinance violation, LAPD, Central
27 Bureau). The search of a cell phone seized from Evert Galdamez Cisneros in 2019 contained multiple
28 photographs showing Rodriguez, Cruz Zepeda, Iraheta Landaverde, Galdamez Cisneros, Velis Diaz, and

1 Ramirez Valencia posing in front of a wall in Los Angeles which bears 20th Street clique graffiti.

2 Similarly, Rodriguez posted two of the photographs on his Instagram account.

3 At least five times between November 2016 and November 2017, law enforcement officers
4 encountered Ramirez Valencia in MS-13 gang territory with fellow 20th Street clique members,
5 including codefendants Rogelio Belloso Aleman, Edwin Alvarado Amaya, Evert Galdamez Cisneros,
6 Alexis Cruz Zepeda, Kevin Reyes Melendez, Elmer Rodriguez, Kevin Guatemala Zepeda, Wilfredo
7 Iraheta Landaverde, and Fernando Romero Bonilla. As noted above, on one of these occasions –
8 November 11, 2017 – officers pulled over a car carrying Ramirez Valencia, Rodriguez, Belloso Aleman,
9 Espinal, and one other gang member, and found a firearm on the floorboard of the front passenger seat.

10 On August 12, 2019, Ramirez Valencia participated in the violent group assault outside Little
11 Star Pizza in San Francisco, along with fellow MS-13 20th Street clique members RonalDY Dominguez,
12 Missael Mendoza, Marvin Osegueda Saravia, and Christian Quintanilla. Of note here is that some of the
13 assailants are seen on surveillance video making MS-13 gang signs. In other footage, Ramirez Valencia
14 is seen throwing one of the victims to the ground before his fellow gang members begin violently
15 beating the victim. This assault – including the group’s threat to kill the two victims if they called the
16 police – is charged in Count Fourteen of the Superseding Indictment and is described in greater detail
17 later in this memorandum.

18 Law enforcement has also compiled evidence from social media accounts that bears on Ramirez
19 Valencia’s gang membership. In October 2013, Ramirez Valencia posted the below photo to his
20 Facebook page. The Spanish phrase across the top translates to “Mara Salvatrucha is who controls.”



Agents also obtained photographs showing Ramirez Valencia with other gang members and flashing gang signs. The photo on the left shows Ramirez Valencia (left) and another suspected gang member joining hands to make “La Garra,” a well-known MS-13 gang sign. The photo on the right shows Ramirez Valencia with multiple MS-13 20th Street clique members (and present targets) at a memorial for a slain MS-13 gang member Hector Salvador (who was fatally shot on December 6, 2015 while attacking a man from behind and stabbing him seriously):



P. ALEXIS CRUZ ZEPEDA



Alexis Cruz Zepeda (“Zorro”)

Racketeering Conspiracy (Count One);
Attempted Murder in Aid of Racketeering
(Count Two); Discharge of a Firearm During
and in Furtherance of a Crime of Violence
(Count Three)

1 On September 16, 2016, Cruz Zepeda and fellow MS-13 20th Street clique member (and
2 codefendant) Kevin Reyes Melendez were triggermen in the attempted murder of a suspected gang rival.
3 The victim suffered multiple gunshot wounds to the buttocks and legs as he tried to flee his attackers.
4 Cruz Zepeda and Reyes Melendez, along with two companions, then ran to a car driven by fellow MS-
5 13 20th Street clique member Ronaldy Dominguez. There ensued a high-speed chase, during which the
6 two handguns were tossed from the getaway car. The fleeing attackers eluded capture by driving the
7 wrong way down the Vermont Street off ramp from Highway 101, at which point police broke off
8 pursuit. This incident is charged as attempted murder in aid of racketeering in Count Two of the
9 Superseding Indictment and is described in more detail later in this memorandum.

10 As noted above, also in September 2016, law enforcement officers in Los Angeles encountered
11 Cruz Zepeda with other MS-13 20th Street clique members, including Elmer Rodriguez, Evert
12 Galdamez Cisneros, Jose Tercero, and Wilfredo Iraheta Landaverde. Twice in December 2016, and
13 twice again in January 2017, law enforcement officers encountered Cruz Zepeda in MS-13 gang
14 territory with other 20th Street clique members. This includes codefendants Rogelio Belloso Aleman,
15 Kenneth Campos, Evert Galdamez Cisneros, and Kevin Ramirez Valencia.

16 Included in the government's racketeering evidence against Cruz Zepeda is his culpable
17 participation in the murder of a former Norteño on March 17, 2017 outside the Beauty Bar at Mission
18 and 19th Streets. Cruz Zepeda was convicted in state court in connection with that murder and is
19 currently pending sentencing. On March 17, 2017, the murder victim went to the Beauty Bar, which is
20 located within the territory claimed by MS-13. The homicide investigation revealed that the victim was
21 inside the bar for more than an hour before the murder. Unknown to him, a number of MS-13 20th
22 Street clique members were also in the bar, including Cruz Zepeda and Jose Mejia Carrillo. When the
23 victim and another bar patron went around the corner for a cigarette, Cruz Zepeda and Mejia Carrillo
24 also stepped outside and followed them. Mejia Carrillo and Cruz Zepeda approached the victim
25 together. One of them asked him if he was a Norteño, heard him say he was not, and responded: "Yes,
26 you are!" Mejia Carrillo then shot him. When the victim fell to the street, Mejia Carrillo stepped in
27 closer and shot him again, in the head. The victim died at the scene. Cruz Zepeda and Mejia Carrillo
28 were soon identified based on surveillance video from the bar. On March 20, 2017, they were both

1 arrested. In state court proceedings, Mejia Carrillo was held to answer for murder. Cruz Zepeda was
2 held to answer on a gang conspiracy charge involving the murder. On December 13, 2019, a jury
3 convicted both defendants. They are pending sentencing.

4 Cruz Zepeda has been in continuous custody since March 2017. However, investigation of Cruz
5 Zepeda's activities in jail, and review of a sampling of recorded jail calls, make clear that he has
6 continued active involvement in MS-13 20th Street clique activities. The investigation reveals that Cruz
7 Zepeda has participated in gang-related assaults in jail, and has engaged in telephone conversations with
8 gang members jailed elsewhere about gang business.

9 Cruz Zepeda also has tattoos claiming gang membership. He has a "1" on his right forearm, and
10 a corresponding "3" on his left forearm, to signify allegiance to MS-13. On his right shoulder and upper
11 arm, he has a drawing of "*La Garra*," which also signifies MS-13 membership. Cruz Zepeda obtained
12 these tattoos in custody, after his arrest for the March 2017 shooting. Some of Cruz Zepeda's tattoos are
13 depicted below:



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1 **Q. KEVIN GUATEMALA ZEPEDA**



10 **Kevin Guatemala Zepeda (“Mision”)**

11 Racketeering Conspiracy (Count One);
12 Assault with a Dangerous Weapon in Aid of
 Racketeering (Count Ten)

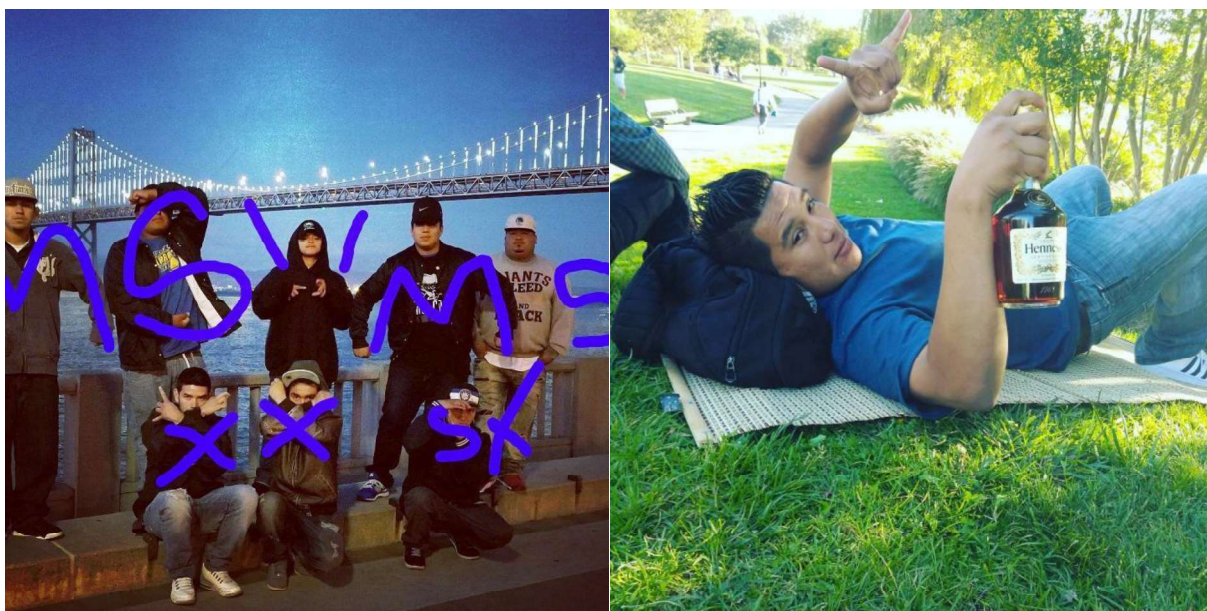
13 On at least five occasions between April 2017 and October 2018, law enforcement officers
14 encountered Guatemala Zepeda in MS-13 gang territory with other 20th Street clique members,
15 including codefendants Rogelio Belloso Aleman, Kevin Reyes Melendez, Kevin Ramirez Valencia,
16 Elmer Rodriguez, Wilfredo Iraheta Landaverde, Evert Galdamez Cisneros, and Kenneth Campos. On
17 two of these occasions – April 5, 2017, and August 8, 2017 – Guatemala Zepeda was encountered near
18 MS-13 graffiti, including fresh graffiti reading “MS-13 XX St.” on the latter occasion.

19 On January 24, 2019, Guatemala Zepeda, Evert Galdamez Cisneros, Fernando Romero Bonilla,
20 and two other MS-13 gang members perpetrated the assault of a family of four near Mission Playground
21 (which is within MS-13 gang territory). Most of the group had knives, and one had a gun. Guatemala
22 Zepeda displayed a firearm and swung a knife. This incident is charged in Count Ten of the
23 Superseding Indictment, and is addressed in more detail later in this memorandum.

24 Recorded jails calls from 2019 include calls in which codefendant Elmer Rodriguez, housed in
25 San Bruno Jail, discussed smuggling drugs into the jail to make money by selling the contraband to
26 inmates. On or about August 2, 2019, Rodriguez spoke with Guatemala Zepeda and requested seven
27 grams of crystal and seven grams of black. Guatemala Zepeda noted the request and said he would have
28 to ask his “plug” (drug connection).

1 A distinct episode is evidenced in data from Galdamez Cisneros's cell phone seized on October
2 18, 2019. The cell phone dump revealed photographs showing what looks like cocaine or
3 methamphetamine on a digital scale on a kitchen table. One individual seated at the table bears a tattoo
4 on his left wrist which is consistent with a tattoo that Wilfredo Iraheta Landaverde is known to have. Of
5 significance is metadata linking these photos to the location where Guatemala Zepeda has lived with a
6 sister of Jose Tercero.

7 Investigating agents have also obtained photographs from social media accounts showing
8 Guatemala Zepeda with other MS-13 gang members, well as photographs showing Guatemala Zepeda
9 making MS-13 gang signs. The photograph on the left below, from June 2017, shows Guatemala
10 Zepeda with several codefendants on the Embarcadero in San Francisco; he is in the back row, second
11 from the viewer's right, making an "M" with his arms. (On Guatemala's left is Elmer Rodriguez; to his
12 immediate right are Wilfredo Iraheta Landaverde, Kevin Ramirez Valencia, and MS-13 gang member
13 Elmer Mendez (Radar); in the front from the viewer's right to left are Edwin Alvarado Amaya, Kevin
14 Reyes Melendez, and Evert Galdamez Cisneros.) The photograph on the right below, from July 2017,
15 shows Guatemala Zepeda at Dolores Park, making "La Garra," a well-known MS-13 gang sign, with his
16 left hand.






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IV. CHARGED INCIDENTS OF VIOLENCE

Below, the government summarizes its evidence as to each charged incident. The summaries are presented in chronological order. These are not intended to be exhaustive summaries of all evidence in the government's possession.

A. THE ATTEMPTED MURDER AT 21ST AND HAMPSHIRE (SEPTEMBER 16, 2016)

		
RonalDY Dominguez ("Smokey")	Kevin Reyes Melendez ("Neutron")	Alexis Cruz Zepeda ("Zorro")
Acted as lookout, led officers on high speed chase as getaway driver	Shot at victim with a revolver	Shot at victim with semiautomatic pistol
Attempted Murder in Aid of Racketeering (18 U.S.C. § 1959(a)(5))	Attempted Murder in Aid of Racketeering (18 U.S.C. § 1959(a)(5)); Discharge of a Firearm in Furtherance of a Crime of Violence (18 U.S.C. § 924(c))	Attempted Murder in Aid of Racketeering (18 U.S.C. § 1959(a)(5)); Discharge of a Firearm in Furtherance of a Crime of Violence (18 U.S.C. § 924(c))

At approximately 1:00 a.m. on Friday, September 16, 2016, officers responded to 21st and Hampshire Streets in response to a reported shooting. They encountered C.G., a 20-year-old Hispanic male who had been shot multiple times. The victim had five entry and exit wounds: one gunshot wound to the right buttock, two to the left buttock, and two to the lower right leg. He sustained a fractured right tibia, which required several surgeries. Witness interviews revealed that the victim had been walking on Hampshire Street when three males approached him, claiming "La Mara" and flashing gang signs. One of the assailants who claimed "La Mara" pulled out a gun and shot at the victim. The victim tried to run

1 but could not. The attackers were all wearing hoodies, and the shooter had a baby blue hoodie pulled up
2 over his head to hide his face.

3 Meanwhile, nearby officers who had heard the shots identified a dark Honda Accord that was
4 fleeing the scene. Officers broadcasted a description and plate number, and a chase ensued. The suspect
5 vehicle fled east on 21st Street, turned left on Potrero, where it ran a red light and collided with a Prius.
6 The Honda sped on, heading east on 18th Street, north on Utah and east on 17th Street, crossed under
7 the freeway, and then fled south on Vermont Street. The Honda fled down the off-ramp from Highway
8 101 – the wrong way. At this point, officers in the pursuing patrol car broke off pursuit. They searched
9 the off-ramp and found a Ruger 9mm semi-automatic pistol with a partially loaded magazine and one
10 round in the chamber; Firearms and Toolmarks analysis later linked that pistol to two spent casings
11 seized back at the crime scene. Several hours later, a resident of a house on Vermont Street turned in an
12 Arminius 38 special revolver, with six expended rounds in the cylinder. The Honda was found three
13 days later, abandoned and with multiple parking tickets on the windshield, on Brannan Street. Forensic
14 analysis of the Honda revealed no latent fingerprints. By the time it was recovered, it had been entirely
15 cleaned out. DNA analysis, however, turned up a CODIS hit with the DNA of Ronalddy Dominguez on
16 the steering wheel. Initial DNA testing of the two firearms yielded “mixed donor” results with no
17 further conclusions.

18 As part of their follow-up investigation, officers obtained surveillance camera footage from a
19 residence. It depicts a dark four-door sedan parking around the corner from where the shooting
20 occurred. Five males are seen getting out. The footage is consistent with two shooters, two witnesses
21 and/or lookouts, and a driver. The two shooters (identified as the two who walk out of sight across the
22 street and then run back into view after the gunshots cease) walk down Hampshire Street out of sight. A
23 series of eight gunshots can be heard. Then all five run back to the car and it flees.

24 In 2019, the government sought additional testing of the getaway car and discarded firearms, this
25 time using STRmix software. The new testing yielded DNA matches for: (1) Ronalddy Dominguez on
26 the steering wheel of the getaway car (14.7 quadrillion); (2) Kevin Reyes Melendez on the Arminius
27 revolver that was ditched from the getaway car (3.08 thousand); and (3) Alexis Cruz Zepeda on the
28 Ruger semiautomatic pistol that was ditched from the getaway car (55.7 quintillion).

**B. THE PRITA HOTEL STOMPING
(OCTOBER 28, 2016)**



Kenneth Campos (“Nesio”)

Repeatedly stomped and kicked victim’s head

Assault with a Dangerous Weapon in Aid of
Racketeering (18 U.S.C. § 1959(a)(3))

Early in the morning on October 27, 2016, officers responded to a reported assault on the 2200 block of Mission Street in San Francisco’s Mission District. This is territory claimed by the MS-13 20th Street clique. When officers arrived, officers found three male victims who had been punched and kicked and suffered significant injuries to the face and head. One of their assailants made off with the cell phone dropped by the victim with the black-and-white striped jersey (pictured in the middle below). The investigation revealed that at the outset, a suspect approached and asked, “What do you claim?” Moreover, before the assault began, a suspect made gang signs with his hand and yelled “Mara Salvatrucha.” The victims’ injuries are depicted below:



1 By the time officers arrived at the scene, the assailants had fled. No arrests were made.

2 The investigation later yielded surveillance video from the nearby Prita Hotel. (*See Exhibit 1*).
3 The footage depicts some of the assault and enables identification of the principal attacker as Kenneth
4 Campos. The video shows Campos striking one of the victims multiple times, throwing him to the
5 ground, and kicking him multiple times in the head with a shod foot. Depicted below, on the left, is a
6 photo of Campos that he posted on social media in late 2016. Depicted below, on the right, is a still shot
7 of the principal assailant in the Prita Hotel video.



15 In addition to the video identification, Campos made an incuplatory admission regarding the
16 assault on social media. On October 28, 2016 – one day after the attack – Campos made the following
17 post on his Facebook page:

18 **Time** 2016-10-28 16:54:53 UTC
19 **Story** Kenneth Nesio Campos

20 **Time** 2016-10-28 20:15:52 UTC
21 **Message** When you kick someone in the head and your whole leg hurts n have purple all over
22 foot oh lawd

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1 **C. THE SHOTGUN SHOOTING IN THE TENDERLOIN**
2 **(NOVEMBER 26, 2017)**



10 **Elmer Rodriguez (“Gordo”)**

11 Shot victim at close range with shotgun

12 Attempted Murder in Aid of Racketeering
13 (18 U.S.C. § 1959(a)(5)); Discharge of a
14 Firearm in Furtherance of a Crime of
 Violence (18 U.S.C. § 924(c))


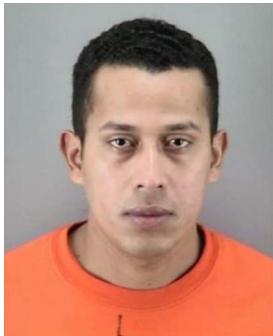
15 On November 26, 2017, officers responded to a report of a shooting at 640 Eddy Street, in San
16 Francisco’s Tenderloin neighborhood. When officers arrived, they found a man bleeding on the street
17 from a chest wound caused by a shotgun blast at close range. Two spent shotgun shells were seized by
18 police in the street at the crime scene, while two shotgun wads were found on the sidewalk. A shotgun
19 wad was also removed from the victim’s wound at the hospital. The victim was in a coma for
20 approximately nine days, but the victim survived and recovered. Two other victims were struck by stray
21 pellets from the shotgun blast.

22 A bystander recorded part of the incident on the bystander’s cell phone. Witnesses also
23 described the incident to law enforcement. Witnesses saw a large Hispanic male, consistent in
24 appearance with Elmer Rodriguez, fire multiple shots at the victim with a shotgun. The cell phone video
25 shows Rodriguez holding the shotgun. Depicted below, on the left, is a surveillance video still shot
26 (from a camera at Rodriguez’s apartment building, a little over two hours after the shooting) of
27 Rodriguez wearing a distinctive outfit. Depicted below on the right is the still shot from the cell phone
28 video of the man who possessed the shotgun. Rodriguez is wearing the same outfit in both images.



Subsequent investigation has revealed that this shooting was part of an ongoing effort by MS-13 20th Street gang members to extort drug dealers. These efforts included intimidation, threats of violence, and use of violence, including with weapons, to forcibly collect a “tax” from street drug dealers in the Tenderloin. The shooting of the victim on November 26, 2017, by Rodriguez was in response to street drug dealers attempting to resist this tax.

**D. THE ATTEMPTED MURDER AT 24TH AND POTRERO
(NOVEMBER 30, 2017)**

	
Edwin Alvarado Amaya (“Muerte”)	Oscar Espinal (“Chuy”)
Stabbed victim repeatedly	Participated in the stabbing of the victim
Attempted Murder in Aid of Racketeering (18 U.S.C. § 1959(a)(5))	Attempted Murder in Aid of Racketeering (18 U.S.C. § 1959(a)(5))

1 At about 5:30 a.m. on November 30, 2017, the victim was waiting for a bus to take to work. As
2 he stood at a bus stop on Potrero Avenue at 24th Street (an area considered to be Norteño territory), a
3 four-door sedan pulled up. There were at least four males in the car. The victim had a brief
4 conversation with the occupants of the sedan through the passenger window. The driver accused him of
5 being a “buster.” (“Buster” is derogatory term for a Norteño.) As the victim began to flee, and two
6 males got out of the left rear door of the car and chased him. Surveillance video shows that these men
7 were Edwin Alvarado Amaya and Oscar Espinal. Portions of the surveillance have been marked as
8 Exhibits 2A, 2B, and 2C. While chasing the victim, Alvarado Amaya lost his baseball cap. DNA
9 testing links the baseball cap to Alvarado Amaya.

10 Alvarado Amaya and Espinal were able to catch the victim mid-block. The bulk of the assault
11 occurred in front of the Betel Apartments, on the sidewalk outside a metal security gate. The
12 surveillance video shows Espinal and Alvarado Amaya wrestling with the victim and striking him
13 repeatedly. Alvarado Amaya held a bladed weapon in his right fist, with which he struck the victim
14 repeatedly as opportunity offered. Espinal held the victim down as Alvarado Amaya stabbed him.
15 During the attack, Espinal and Alvarado Amaya also went through the victim’s pockets and took the
16 victim’s wallet.

17 Altogether, the victim suffered fifteen stab wounds, to the face, chest, stomach, arm and back.
18 At the hospital, the treating physician described the victim’s condition as “critical.” Doctors pumped
19 approximately two liters of blood from the victim’s chest cavity. The victim eventually recovered and
20 was discharged approximately two weeks after the stabbing.

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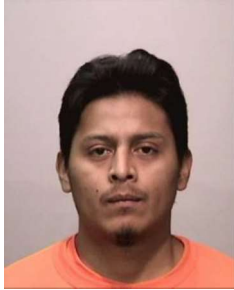

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**E. THE STABBING AT DOLORES PARK
(MAY 27, 2018)**

		
Kevin Reyes Melendez ("Neutron")	Rogelio Belloso Aleman ("Smiley")	Kenneth Campos ("Nesio")
Participant in Assault	Participant in Assault	Participant in Assault
Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))

On Sunday, May 27, 2018, shortly after 7:00 p.m., SFPD officers responded to a report of a stabbing in Dolores Park in San Francisco. Dolores Park is MS-13 gang territory claimed by the 20th Street clique. The victim was bleeding profusely from his head and suffering from multiple lacerations to his back, throat, and chest. When officers arrived, they were flagged down by a witness who pointed out a white Nissan Altima and said that the people inside were responsible for the attack. Officers approached the Altima and found Kevin Reyes Melendez, Rogelio Belloso Aleman, and Kenneth Campos inside. Reyes Melendez had an abrasion on his right elbow, was sweating profusely, and was breathing heavily. Belloso Aleman and Campos both had dried blood on their clothes. Belloso Aleman had cuts to both of his hands and knuckles consistent with injuries sustained from fighting.

Several witnesses saw the attack and were able to identify Reyes Melendez, Belloso Aleman, and Campos as the perpetrators. Witnesses saw Reyes Melendez kick the victim in the head until the victim lost consciousness, Belloso Aleman also kick the victim the head, and Campos kick the victim in the jaw and strike the victim with his hands. The victim, when taken to the hospital, had multiple puncture wounds in his back in addition to the lacerations on his head and face. The investigation revealed that,

before the assault, the attackers ascertained that the victim was from 24th Street and Mission Street, which is Norteño territory.

**F. THE FAMILY ASSAULT AT 19TH AND VALENCIA
(JANUARY 24, 2019)**



		
Kevin Guatemala Zepeda ("Mision")	Evert Galdamez Cisneros ("Talentoso")	Fernando Romero Bonilla ("Black")
Participant in assault	Participant in assault	Participant in assault
Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))

On January 24, 2019, shortly before 8:00 p.m., officers responded to a report of a person with a gun at 19th and Valencia Streets in San Francisco's Mission District. This area is claimed territory for the MS-13 20th Street clique. Moreover, it is located across the street (to the east) from Mission Playground, which is the heart of 20th Street clique territory. Upon arriving at the scene, officers encountered a family of four: a mother, her boyfriend, her 15-year-old son, and her 12-year-old nephew. The investigation revealed that the family had been "checked" (asked where they were from and what gang they claimed) by a group of Hispanic males. The older male and the juvenile son bore the brunt of the attack. Witnesses described that the victims had been punched and kicked (including one victim kicked in the head), and threatened with a handgun and knives. The assailants said "MS-13!" during the assault, and, at the outset, asked "Que rifa?," which translates to "What gang are you with?"

The government later obtained surveillance video from a nearby bar, which depicted a portion of the assault. This footage, approximately 23 seconds in length, shows the assault already in progress and

1 is attached to this memorandum as Exhibit 3. The video shows that Galdamez Cisneros, Guatemala
2 Zepeda, and Romero Bonilla were perpetrators in the assault. The video shows Galdamez Cisneros
3 striking the 15-year-old son with one of his fists and Romero Bonilla striking the same boy with both of
4 his fists. The investigation has revealed that Guatemala Zepeda also participated in the assault by trying
5 to stab a victim with a knife. The investigation has also revealed that the group of assailants was armed
6 with at least one handgun and multiple knives.

7 **G. THE DELIRIUM BAR STABBING**
8 **(APRIL 6, 2019)**



	
Luis Velis Diaz (“Popa”)	RonalDY Dominguez (“Smokey”)
Stabbed victim twice	Threw punch at victim and acted as lookout
Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))

19 Early in the morning on April 6, 2019, officers responded to 16th and Valencia Streets in the
20 Mission District, outside the Delirium Bar, to the scene of a reported stabbing. This is within the known
21 territory of the MS-13 20th Street clique. Upon arriving at the scene, officers encountered a Hispanic
22 male with two stab wounds to his right side. The victim’s girlfriend was also on scene. Investigators
23 ascertained what happened through both surveillance video and witness interviews. The video was of
24 sufficient quality for officers to identify five known MS-13 gang members in the group of perpetrators,
25 including present codefendants RonalDY Dominguez and Luis Velis Diaz. Excerpts from the relevant
26 surveillance video are compiled and attached as Exhibits 4A and 4B.

27 The investigation revealed that the victim and his girlfriend were walking along 16th Street when
28 a group of Hispanic males approached them. The men asked the victim if he was a Norteño, and the

1 victim responded that he was. The group claimed MS-13 gang membership and began attempting to
2 attack the victim. During this confrontation, Ronaldy Dominguez threw a punch at the victim. The
3 victim fled for safety into a liquor store next to the Delirium Bar. Passersby attempted to defuse the
4 situation, and the group of assailants walked away. But after the victim came out and was standing with
5 his girlfriend, five of the assailants reappeared. Three stood at the corner, looking toward the victim.
6 Two other assailants walked quickly up to the victim from behind. As Velis Diaz passed the victim, he
7 lunged and stabbed the victim in the right side. A subsequent hospital examination revealed two stab
8 wounds in the victim's abdomen. At the time of the assault, the victim was wearing a red hooded
9 sweatshirt, a color associated with Norteño affiliation.

10 **H. THE ASSAULT AT 19TH AND LEXINGTON**
11 **(JULY 29, 2019)**

	
Marvin Osegueda Saravia	Christian Quintanilla
Swung knife at victim, participated in chase and assault	Participated in chase and assault, possessed knife with victim's DNA
Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))

23 On July 29, 2019, shortly before 4:00 a.m., officers responded to 19th and Lexington Street in
24 response to a report of an assault. When officers arrived, they encountered Christian Quintanilla and
25 Marvin Osegueda Saravia in the area. When Quintanilla and Osegueda Saravia saw police, they both
26 started to walk away. Quintanilla crouched near a parked vehicle and looked under the vehicle, as if to
27 conceal an item. Officers detained Quintanilla and Osegueda Saravia and seized four knives at the
28 scene, including one under the vehicle by which Quintanilla was crouching and one in the bed of a

1 pickup truck parked by the corner. A nearby group of men left the scene and were never identified. In a
2 post-*Miranda* interview, Quintanilla admitted that he had discarded this last knife into the bed of the
3 truck when he saw police arrive. Meanwhile, other officers located the two victims. One victim had a
4 cut above her eyebrow, multiple injuries to her face, and was distraught and crying. The other had no
5 visible injuries.

6 The investigation revealed that the women were riding a San Francisco municipal bus in the
7 Mission District when they noticed some men staring at them. When the two women got off the bus to
8 try to get away, Osegueda Saravia and Quintanilla followed them. Osegueda Saravia and Quintanilla
9 asked what gang the women belonged to, and one of them verbally claimed MS-13. When the women
10 attempted to escape, four or five other men emerged from a side street and headed them off. One of the
11 men threw a glass bottle at one of the victims, and another struck her on the head with a glass bottle. As
12 one victim fled down 19th Street, Osegueda Saravia tried to trip her, and swung at her with a knife but
13 failed to connect. Meanwhile, multiple men began kicking the other victim as she lay on the ground.
14 One of them took her cell phone.

15 Law enforcement later sought DNA testing of the four knives seized at the scene, as well as the
16 two suspects' clothing. The lab found one victim's DNA on the knife that Quintanilla admitted
17 discarding into the pickup truck. The lab also found that victim's DNA on one of Quintanilla's shoes.
18 Furthermore, the lab found Osegueda Saravia's DNA on one of the knives discovered at the scene. In
19 addition, when Quintanilla was searched incident to arrest, officers found the victim's cell phone in his
20 pocket.

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I. THE STABBING BY MISSION PLAYGROUND
(AUGUST 6, 2019)



Missael Mendoza

Participated in stabbing

Assault with a Dangerous Weapon in Aid of
Racketeering (18 U.S.C. § 1959(a)(3))


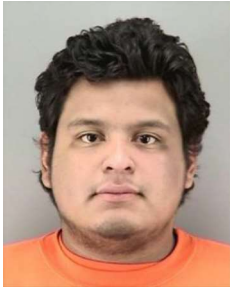



On August 6, 2019, shortly after 10:00 p.m., officers responded to a report of an assault victim at 19th and Lapidge Street in San Francisco. This location is a half block west of 19th and Valencia Streets, where the January 24, 2019 assault, which is described above, had occurred. It is just outside the north end of Mission Playground, which lies at the center of known MS-13 territory. When officers arrived, the victim, a Hispanic male, was bleeding profusely from the nose. The investigation revealed that three Hispanic males had approached him, asked who he “banged” with and yelled a derogatory insult. The victim replied that he was not in a gang. As the victim tried to walk away, the men assaulted him, repeatedly striking him, kicking him, and eventually stabbing him. Witnesses described the three assailants as falling over the victim as they struck him.

As other officers arrived at Mission Playground, they saw three subjects walk quickly away. The subjects rounded a cement planter that obstructed the officers’ view. One officer heard the distinct sound of a metal object colliding with metal. In the area from which that sound had come, officers later

found a knife stuck, blade open, in the sand. The officers detained the three subjects they had seen walking away, including Mendoza. Mendoza had what appeared to be blood stains on his clothing.

The knife and Mendoza's clothing were submitted for DNA testing. Swabs from the knife blade yielded matches for both the victim and one of the other assailants. Blood droplets on Mendoza's right shoe were matched to the victim. In addition, a swab of the blood stain on Mendoza's left shirt sleeve yielded matches to both the victim and Mendoza himself.

J. THE GROUP ASSAULT AT LITTLE STAR PIZZA (15TH AND VALENCIA STREETS)
(AUGUST 12, 2019)

				
Ronaldy Dominguez ("Smokey")	Kevin Ramirez Valencia ("Delincuyente")	Marvin Osegueda Saravia ("Chiquis")	Christian Quintanilla	Missael Mendoza
Displayed machete, kicked victim lying in street	Threw resisting victim to the ground, where others closed in to beat with sticks	Struck victims repeatedly with stick	Punched one victim and struck the other victim repeatedly with stick	Struck victim several times with heavy plastic cooler
Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))	Assault with a Dangerous Weapon in Aid of Racketeering (18 U.S.C. § 1959(a)(3))

On August 12, 2019, shortly after 4:00 a.m., officers responded to 400 Valencia Street in San Francisco, near the Little Star Pizza restaurant. The pizza shop is located at the intersection of 15th and Valencia Streets; it is an area previously claimed by the Norteño street gang. When they arrived,

1 officers found two victims who had been viciously beaten by a group of young men. The two victims,
2 who are brothers, had been working as night janitors at the Little Star Pizza restaurant. One victim
3 sustained multiple lacerations to the head and arms, abrasions to the back of the head, and complained of
4 pain to the right hand. Further, he was left with a one-inch piece of wood embedded in his left forearm.
5 The other victim sustained multiple lacerations to the head and forehead, a deep laceration to the right
6 forearm, and spinal fractures.

7 The investigation showed that while the victims were on a smoke break outside of the pizza
8 shop, they were approached by a large group of Hispanic males. The group asked the two victims what
9 gang they belonged to, said they themselves were MS-13, and claimed the area as theirs. (This area had
10 traditionally been claimed by rival Natoma Street Norteños.) The two victims retreated inside the pizza
11 shop and locked the door. Some of the group outside became upset when the victims first said they
12 would call police and then started using their cell phones. The attackers told the victims that they would
13 kill the victims if they called the police. Some in the group threw up gang signs, including the *garra*, a
14 hand sign associated specifically with MS-13. One of the group displayed a machete. Finally, one of
15 the most aggressive of the group started kicking the glass door so violently that it appeared he would
16 shatter the glass. At that point, one of the victims grabbed a wooden broom, unlocked the door, and
17 rushed out. He was followed by the other victim, who bore a metal-handled mop. Available video
18 footage collected by investigators shows the victims trying to defend themselves against multiple
19 attackers who knock them down, punch and kick them, and beat them with a variety of objects. (See
20 Exhibits 5A, 5B, 5C, 5D, 5E, 5F and 5G.) Analysis of the video footage reveals the following roles for
21 the five individuals charged with this assault.

- 22 • Dominguez displayed a machete to the victims while they stood behind the locked door of the
23 restaurant. During the attack, he can be seen kicking one of the victims, who is lying on the
pavement.
- 24 • Ramirez Valencia displayed gang signs to the victims during the initial phase of the altercation.
25 During the assault, as one victim is swinging a belt around his head to drive back several
26 attackers, Ramirez Valencia comes up from behind and throws him to the pavement, whereupon
the attackers move in and beat him with sticks.
- 27 • Mendoza struck one of the victims several times with the heavy plastic cooler as the victim lay in
28 the street, apparently dazed.

- Osegueda Saravia strikes somebody (believed to be a friend of one of the victims, present at the scene while the victims worked) with a stick or pipe and causes him to flee the area. Osegueda Saravia then runs back to the fight and strikes the victim at least once with a stick, and strikes the other victim (who is being set upon by Osegueda Saravia and three others at the same time) with a stick thirteen times.
- Quintanilla punches one of the victims several times as he lies in the street, and strikes the other victim repeatedly with a stick.

V. CONCLUSION

The government respectfully submits the foregoing factual proffer in support of its anticipated motions for pretrial detention as to all seventeen defendants.

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Respectfully submitted,

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_____/s/
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